

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

3:19-CR-30047-RAL

Plaintiff,

vs.

ANDREA CIRCLE BEAR,
a/k/a Andrea High Bear,

SCHEDULING AND
CASE MANAGEMENT ORDER

Defendant.

In order to comply with the Speedy Trial Act, 18 U.S.C. § 3161 et seq., and to set forth orderly progression dates, it is hereby

ORDERED that the following deadlines shall apply in this case:

Discovery motions	April 2, 2019
Suppression/voluntariness motions	April 16, 2019
Responses to suppression/voluntariness motions due	Within seven calendar days after motion is filed
Subpoenas for suppression hearing	April 16, 2019
Suppression/voluntariness hearing before Magistrate Judge Mark Moreno	If necessary, to be held prior to April 30, 2019
Applications for Writ of Habeas Corpus Ad Testificandum	May 7, 2019
Other non-limine motions	May 14, 2019

Responses to other non-limine motions due	Within seven calendar days after motion is filed
Subpoenas for trial	May 14, 2019
Plea agreement or petition to plead and statement of factual basis	May 14, 2019
Notify court of status of case	May 14, 2019
Motions in limine	May 20, 2019
Proposed jury instructions due	May 20, 2019
Pretrial conference	Tuesday, May 28, 2019, at 10 a.m.
Jury trial	Tuesday, May 28, 2019, at 1 p.m.

1. Proposed jury instructions, with citations to authority, shall be filed. Submit only substantive instructions pertaining to the law of the case; do not submit standard or boilerplate instructions.
2. The Court expects that all motions raising a substantive legal issue shall be accompanied by a reasoned memorandum setting forth the precise issues, the relevant law, and facts applicable to the law. The filing of "boilerplate" motions or memoranda will not satisfy this requirement. Responses to motions shall set forth specific points of law, together with supporting authorities relied upon.
3. Counsel for the parties shall confer, prior to the filing of motions, to attempt to reach agreement upon all pretrial motions, including motions for discovery and disclosure. The Government provides a stipulation form to implement the Court's standing discovery order.
4. Upon request of the Defendant, the Government shall forthwith comply with Rule 16(a)(1)(A)-(E).

5. If the Defendant requests disclosure under Rule 16(a), such Defendant shall, upon request of the Government, forthwith comply with Rule 16(b).
6. The Government shall timely furnish all materials required by Brady v. Maryland, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed . 2d 215 (1963) and Giglio v. United States, 405 U.S. 150, 92 S. Ct. 763, 31 L. Ed. 2d 104 (1972).
7. Any written statements of the Government's witnesses discoverable under the Jencks Act, 18 U.S.C. § 3500, shall be furnished to the Defendant unless the Government demands strict compliance with the Jencks Act.
8. It will be the responsibility of defense counsel to ensure Defendant's prompt attendance at hearings and trial and to notify defense witnesses not to report if the case **does not** go to trial.
9. Upon a showing of good cause, the Court may permit exceptions to the rules set forth in this order.
10. If Defense counsel or Government counsel feel that an interpreter is needed in this case, counsel shall promptly file a motion with the Court requesting an interpreter.

DATED this 26th day of March, 2019.

BY THE COURT:



ROBERTO A. LANGE
UNITED STATES DISTRICT JUDGE